

City Council Minutes
Tuesday, May 26, 2020

On the 26th day of May 2020, at 6:30 p.m., the City Council of the City of Hurst, Texas, convened in Regular Meeting at City Hall, 1505 Precinct Line Road, Hurst, Texas, by telephone conference to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19) with the following members present:

Henry Wilson)	Mayor
Jon McKenzie)	Mayor Pro Tem
David Booe)	Councilmembers
Larry Kitchens)	
Cathy Thompson)	
Bill McLendon)	
Cindy Shepard)	
Clay Caruthers)	City Manager
Matthew Boyle)	Assistant City Attorney
Clayton Fulton)	Assistant City Manager
Rita Frick)	City Secretary
Rob Duncan)	Information Technology Manager

With the following Councilmembers absent: none, constituting a quorum; at which time, the following business was transacted:

The meeting was called to order at 6:30 p.m.

Councilmember Larry Kitchens gave the Invocation.

Mayor Wilson noted the telephonic meeting due to the COVID-19 pandemic and suspended the Pledge of Allegiance for the meeting. Mayor Wilson provided rules of procedure for the telephone conference meeting.

CONSENT AGENDA

1. Consider approval of the minutes for the May 12, 2020 City Council meetings
2. Consider authorizing the city manager to enter into an Interlocal Cooperation Agreement with Tarrant County for Municipal Direct Expense Funding
3. Consider ratifying emergency expenditure for COVID-19 testing

City Manager Clay Caruthers reviewed the proposed Interlocal Cooperation Agreement with Tarrant County noting the federal CARES Act passed and included funding for

cities with a population over 500,000 to receive direct funding, and cities under that population could receive funding from the County's portion. He stated the Tarrant County Commissioners Court designated a portion of its CARES Act funds to support COVID-19 related expenditures to the municipalities in Tarrant County. Mr. Caruthers also noted that the Lieutenant Governor made comments over the weekend that cities would be fine because they are receiving millions from the federal government. Mr. Caruthers stated his statement is accurate, but it must be understood the funding is for reimbursable expenditures with any funds left over returned and this funding is only for eligible expenses and the City may spend up to 2.1 million. Mr. Caruthers reiterated the City's biggest issue related to COVID-19 is revenue loss, no different than business owners experiencing lost revenue. He stated he appreciates the dollars coming the City's way, in that it can be used, for example, nursing home testing that was mandated by the state. He noted an anticipated revenue loss of five to seven million dollars and that none of these funds could be utilized to offset that.

Councilmember McKenzie moved to approve the consent agenda. Motion seconded by Councilmember Kitchens. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

PUBLIC HEARING(S) AND RELATED ITEM(S)

4. Conduct a public hearing and consider the issue of levying civil penalties, possible revocation of the Certificate of Occupancy and status of the repairs for the property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments)

Mayor Wilson announced a public hearing to consider the issue of levying civil penalties, possible revocation of the Certificate of Occupancy and status of the repairs for the property located at 450 E. Hurst Blvd, Hurst, Texas; Lot A3, Block 14, of the Holder Estates subdivision (Dakota Place Apartments) and recognized City Attorney Matthew Boyle who stated staff started the process, at the City Council level, seeking to ensure that the apartment complex was brought to full compliance, but that they have still failed to achieve. Mr. Boyle reviewed outstanding items including the roof for Building 2. He stated the owner attempted to pull a second permit for Building 2, but has not brought it into compliance. Also noted as not complete, is the boiler room wall repair and the presence of mold in the most recent inspection in May. He stated the owner came today with an application to reroof another building, which did not provide necessary detail and no plans or engineers seal, highlighting another building where the roof remains unrepaired. Mr. Boyle stated that for these reasons he asserts full compliance has not been met and asks the Council's consideration for the Order this evening establishing additional civil penalties.

There being no one else to speak, Mayor Wilson closed the public hearing.

Councilmember Thompson moved to adopt and approve a civil penalties order in the amount of \$1,000 per day for 28 days for a total of \$28,000 and call another public hearing on this matter for June 23, 2020 at 6:30 p.m. Motion seconded by Councilmember Booe. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

OTHER BUSINESS

5. Consider authorizing the city manager to enter into an Engineering Services Contract with Thomas Hoover Engineering, LLC, for engineering services for 2020 Water Main Replacement Program

City Manager Clay Caruthers reviewed the proposed Engineering Service Contract to replace old existing pipes with corrosive resistant plastic. Replacement includes portions of areas on Fairhaven Drive, Cannon Drive and Prestondale Drive. He stated that even though the City has delayed many capital projects due to the current situation, this project is for very crucial infrastructure and the City is still committed to maintaining the basic infrastructure. He stated he also wants to commend the water and sewer customers, that even during the economic situation, the City is fortunate to have loyal and responsible customers that continue to pay. He stated there are some late payments, but most customers are paying their bills. In response to Council questions, staff stated this is the engineering contract and that it should be completed within one year after engineering.

Councilmember Shepard moved to authorize the city manager to execute the Engineering Services Contract with Thomas Hoover Engineering, LLC, for 2020 Water Main Replacement Program, for a total fee not to exceed \$31,900.00. Motion seconded by Councilmember McLendon. Motion prevailed by the following vote:

Ayes: Councilmembers Booe, Kitchens, Thompson, McLendon, McKenzie and Shepard
No: None

6. Review of upcoming calendar items – No items were discussed.
7. City Council Reports - Items of Community Interest

PUBLIC INVITED TO BE HEARD – A REQUEST TO APPEAR CARD MUST BE COMPLETED AND RETURNED TO THE CITY SECRETARY TO BE RECOGNIZED. No one spoke.

Mayor Wilson did not recess to Executive Session.

EXECUTIVE SESSION in Compliance with the Provisions of the Texas Open

Meetings Law, authorized by Government Code, Section 551.071, Consultation with City Attorney to seek advice regarding Pending or Contemplated Litigation or Settlement Offers (Dakota Place Apartments) and to reconvene in Open Session at the conclusion of the Executive Session

8. Take any and all action ensuing from Executive Session. No action was taken.

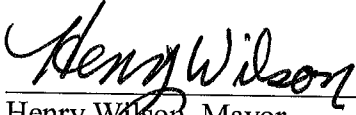
ADJOURNMENT – The meeting adjourned at 6:49 p.m.

APPROVED this the 9th day of June 2020.

ATTEST:


Rita Frick, City Secretary

APPROVED:


Henry Wilson, Mayor